

Remarks

Reconsideration of this Application is respectfully requested.

Claims 1-32 are pending in the application, with 1, 5, 13, 14, 22, and 27-32 being the independent claims. Claims 5-9 and 14-18 have been allowed. Based on the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Allowed Subject Matter

Applicant acknowledges with appreciation regarding the Examiner's indication that claims 5-9 and 14-18 are allowed.

Rejections under 35 U.S.C. § 103

In paragraph 3 of page 2 of the Office Action, claims 1-4, 10-13, and 19-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 20020161826) by Arteaga *et al* (hereinafter Arteaga) in view of U.S. Patent Application Publication No. 20050171762) by Ryan *et al* (hereinafter Ryan). Applicants respectfully traverse the rejection, and request that it be withdrawn.

Claims 1-4, 10-13, 19-21, 27, 28, 30, and 31

Applicants assert that a prima facie case of obviousness has not been established in this Office Action for at least the reason that the cited art does not teach or suggest each and every element of independent claims 1, 13, and 27, 28, 30, and 31.

For example, claim 1 recites the following:

(2) receiving from the server at the mobile client device at least one web page template and application data corresponding to the website in response to the request;

Claim 1 further recites:

- (1) displaying data of the application data that corresponds to the selected web page formatted according to the at least one web page template.

The Office Action asserts that Ryan teaches receiving from the server at the mobile client device at least one web page template. Upon close review, Applicants have determined that Ryan merely discloses enabling a user to "create their own forms" by selecting "encounter templates." (Ryan at paragraph 0007, 0010). The encounter template of Ryan is not the same as a web page template, as recited in claim 1. In Ryan, "encounter templates" are "provided by the server for the user of the handheld computer to diagnose the encounter." (Ryan at paragraph 0033). Encounter templates are composed of a "sequence of HTML web pages to be provided to the user." (Ryan at paragraph 0038). An "illustrative set of screen shots for the knee template" is shown in Appendix B of Ryan. (Ryan at paragraph 0038, Appendix B). Thus, Ryan discloses "encounter templates" that are a series of *complete web pages* which facilitate user data entry, and do not in any way correspond to Applicant's *web page templates*, as recited in Claim 1.

Moreover, as discussed above, Ryan teaches *user data entry into encounter templates and not the receipt from the server of application data* corresponding to the website. Furthermore, because Ryan does not teach or suggest web page templates, it cannot teach the display of any type of data formatted according to the at least one web page template.

The Office Action notes that Ryan discloses the generation of a "tag file". Upon close review, Applicants have determined that the tag file is "used to insert the transcribed voice file in the appropriate field in one of the HTML pages of the encounter

template." (Ryan at paragraph 0050). The tag file thus consists of the appropriate metadata to match sound data and/or its transcription with the appropriate field or fields in an *encounter template*, and does not teach or even suggest any use with *web page templates* as recited in claim 1.

Ryan does not teach receiving from the server at the mobile client device at least one web page template and application data corresponding to the website in response to the request; nor does Ryan teach displaying data of the application data that corresponds to the selected web page formatted according to the at least one web page template. Furthermore, Arteaga does not remedy the deficiencies of Ryan. Thus claim 1 is patentable over Arteaga in view of Ryan for at least these reasons. Applicants respectfully submit that independent claim 1 is patentable over Arteaga and Ryan, alone or in combination, for at least the reasons stated above.

Accordingly, Applicants respectfully submit that independent claim 1 is patentable over Arteaga in view of Ryan, for at least these reasons. Furthermore, independent claims 13, 27, 28, 30, and 31 are also patentable over Arteaga and Ryan for at least the reasons provided for claim 1, and further in view of their own features. Applicants further assert that claims 2-4, 10-12, and 19-21 which depend from claims 1 and 13 are also patentable over Arteaga and Ryan for at least the reasons above (with regard to their respective independent claim), and further in view of their own features. Accordingly, Applicants respectfully request that the rejection of claims 1-4, 10-13, 19-21, 27, 28, 30, and 31 be reconsidered and withdrawn.

Claims 22-26, 29, and 32

Applicants assert that a *prima facie* case of obviousness has not been established in this Office Action for at least the reason that the cited art does not teach or suggest each and every element of independent claims 22, 29, and 32.

For example, claim 22 recites a method for tracking the usage of applications on a mobile client device, which includes:

(B) storing usage data corresponding to the occurrence of at least one user initiated event on the mobile client device.

Claim 22 further recites:

(C) synchronizing the mobile client device with a server, including the step of transmitting the usage data to the server.

Arteaga and Ryan do not teach or suggest these features of claim 22, and thus a *prima facie* case of obviousness has not been made in the Office Action. The Office Action asserts that Arteaga teaches synchronizing the mobile client device with a server, including transmitting the usage data to the server. While Arteaga discusses a user using a remote communications device, and *application* data being stored (e.g., see Arteaga at paragraphs 0012, 0014-0016), nowhere does Arteaga teach transmitting *usage* data to the server, as recited in claim 22.

The Office Action asserts that Ryan teaches storing usage data corresponding to the occurrence of at least one user initiated event on the mobile client device. Upon close review, Applicants have determined that Ryan discloses physicians documenting and dictating their observations and similar observation recording in other occupations, (e.g. see Ryan at paragraphs 0006, 0007, 0010, 0020, and 0021). However, nowhere does Ryan teach storing usage data as recited in claim 22.

The examiner noted that Ryan teaches the generation of a "tag file". As described under claim 1 above, the tag file consists of the appropriate metadata to insert recorded sound data and/or its transcription into the appropriate field in an "encounter template" web page. However, Ryan does not teach nor disclose tracking the usage of applications. Thus Ryan does not teach or even suggest any storage of usage data as recited in claim 22.

Thus neither Ryan nor Arteaga, alone or in combination, teach or disclose synchronizing the mobile client device with a server, including transmitting the *usage* data to the server, as recited in claim 22. Moreover, Ryan does not teach storing usage data corresponding to the occurrence of at least one user initiated event on the mobile client device, as further recited in claim 22.

Accordingly, Applicants respectfully submit that independent claim 22 is patentable over Arteaga in view of Ryan, for at least these reasons. Furthermore, independent claims 29 and 32 are also patentable over Arteaga and Ryan for at least the reasons provided for claim 22, and further in view of their own features. Applicants further assert that claims 23-26 which depend from claim 22 are also patentable over Arteaga and Ryan for at least the reasons above (with regard to their respective independent claim), and further in view of their own features. Accordingly, Applicants respectfully request that the rejection of claims 22-26, 29, and 32 be reconsidered and withdrawn.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read 'J. S. Weaver', with a large, stylized initial 'J' and a long horizontal stroke extending to the right.

Jeffrey S. Weaver
Attorney for Applicants
Registration No. 45,608

Date: June 13, 2006

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

514387_2.DOC